

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the First Amended
Accusation Against:

DANIEL ROSS PADDOR

Registered Nurse License No. 647509

Respondent

Case No. 2011-431

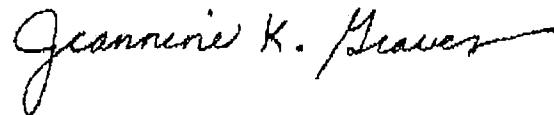
OAH No. 2010120457

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order for Public Reprimand is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in the above entitled matter.

This Decision shall become effective on July 22, 2011.

IT IS SO ORDERED June 22, 2011.



President
Board of Registered Nursing
Department of Consumer Affairs
State of California

1 KAMALA D. HARRIS
Attorney General of California
2 DIANN SOKOLOFF
Supervising Deputy Attorney General
3 SUSANA A. GONZALES
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4 State Bar No. 253027
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7 *Attorneys for Complainant*

8 BEFORE THE
9 BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
10 STATE OF CALIFORNIA

11 In the Matter of the First Amended Accusation
Against:

12 DANIEL ROSS PADDOR
13 721 Allerton Street
Redwood City, CA 94063
14 Registered Nurse License No. 647509

15 Respondent.

Case No. 2011-431

OAH No. 2010120457

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER FOR PUBLIC
REPROVAL

[Bus. & Prof. Code § 495]

17 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
18 entitled proceedings that the following matters are true:

19 PARTIES

20 1. Louise R. Bailey, M.Ed., RN (Complainant) was the Interim Executive Officer of the
21 Board of Registered Nursing at the time this matter was filed, and she brought this action solely
22 in her official capacity. For purposes of resolving this matter, Ms. Bailey is now the Executive
23 Officer of the Board. Complainant is represented in this matter by Kamala D. Harris, Attorney
24 General of the State of California, by Susana A. Gonzales, Deputy Attorney General.

25 2. Respondent Daniel Ross Paddor (Respondent) is representing himself in this
26 proceeding and has chosen not to exercise his right to be represented by counsel.
27
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3. On or about November 4, 2004, the Board of Registered Nursing issued Registered Nurse License No. 647509 to Daniel Ross Paddor (Respondent). The Registered Nurse License was in full force and effect at all times relevant to the charges brought in First Amended Accusation No. 2011-431 and will expire on April 30, 2012, unless renewed.

JURISDICTION

4. Accusation No. 2011-431 was filed before the Board of Registered Nursing (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on November 9, 2010. Respondent timely filed his Notice of Defense contesting the Accusation. A copy of Accusation No. 2011-431 is attached as exhibit A and incorporated by reference. On or about March 11, 2011, First Amended Accusation No. 2011-431 was filed before the Board, and is currently pending against Respondent. The First Amended Accusation and all other statutorily required documents were properly served on Respondent on March 11, 2011. First Amended Accusation No. 2011-431 is attached as exhibit B and incorporated by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, and understands the charges and allegations in First Amended Accusation No. 2011-431. Respondent has also carefully read, and understands the effects of this Stipulated Settlement and Disciplinary Order.

6. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the First Amended Accusation; the right to be represented by counsel at his own expense; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

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9. Respondent agrees that his Registered Nurse License is subject to discipline and he agrees to be bound by the Board's imposition of discipline as set forth in the Disciplinary Order below.

10. Respondent Daniel Ross Paddor has never been the subject of any disciplinary action. He is admitting responsibility at an early stage in the proceedings.

11. The admissions made by Respondent in this stipulation are only for the purposes of this proceeding, or any other proceedings in which the Board of Registered Nursing or other professional licensing agency is involved, and shall not be admissible in any other criminal or civil proceeding.

12. This stipulation shall be subject to approval by the Board of Registered Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Registered Nursing may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

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14. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

15. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Registered Nurse License No. 647509 issued to Respondent Daniel Ross Paddor (Respondent) shall, by way of letter from the Executive Officer, be publicly reprovved. The letter shall be in the same form as the letter attached as exhibit C to this stipulation.

ACCEPTANCE

I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

DATED: 3-15-2011


DANIEL ROSS PADDOR
Respondent

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

Dated: 3/15/11

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
DIANN SOKOLOFF
Supervising Deputy Attorney General



SUSANA A. GONZALES
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 2011-431

1 EDMUND G. BROWN JR.
Attorney General of California
2 DIANN SOKOLOFF
Supervising Deputy Attorney General
3 SUSANA A. GONZALES
Deputy Attorney General
4 State Bar No. 253027
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6 Telephone: (510) 622-2221
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7 E-mail: Susana.Gonzales@doj.ca.gov
Attorneys for Complainant

8
9 **BEFORE THE**
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. *2011-431*

12 **DANIEL ROSS PADDOR**
13 **721 Allerton Street**
14 **Redwood City, CA 94063**
Registered Nurse License No. 647509

A C C U S A T I O N

15 Respondent.

16
17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
20 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department
21 of Consumer Affairs.

22 2. On or about November 4, 2004, the Board of Registered Nursing issued Registered
23 Nurse License Number 647509 to Daniel Ross Paddor (Respondent). The Registered Nurse
24 License was in full force and effect at all times relevant to the charges brought in this Accusation
25 and will expire on April 30, 2012, unless renewed.
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1 DRUGS

2 8. "Xanax" is a Schedule IV controlled substance pursuant to California Health and
3 Safety Code section 11057, subdivision (d)(1), and a dangerous drug pursuant to Code section
4 4022. Xanax is the brand name for the controlled substance, Alprazolam (a benzodiazepam
5 derivative).

6 COST RECOVERY

7 9. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
8 administrative law judge to direct a licensee found to have committed a violation or violations of
9 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
10 enforcement of the case.

11 CAUSE FOR DISCIPLINE

12 (Unprofessional Conduct – Out of State Discipline)
13 (Bus. & Prof. Code §2761(a)(4))

14 10. Respondent has subjected his registered nurse license to discipline under Code
15 section 2761, subdivision (a)(4), in that on or about July 13, 2006, in a disciplinary action before
16 the State of Wisconsin Board of Nursing (Wisconsin Board), Case Number LS0607138NUR, the
17 Wisconsin Board entered a Final Decision and Order (Final Order) reprimanding Respondent and
18 ordering that Respondent meet several conditions before his expired registered nurse license
19 could be renewed. The Final Order required that prior to renewal of his registered nurse license,
20 Respondent had to pay the costs of the proceedings before the Oregon Board and inform the
21 Oregon Board of the name, telephone number, address, immediate supervisor, and reason for
22 leaving all entities where Respondent practiced as a registered nurse since practicing in
23 Wisconsin.
24

25 11. The underlying conduct supporting the Oregon Board's disciplinary proceedings is
26 that on or about June 29, 2003, while employed as a contract nurse by MedStaff Network and on
27 assignment at the 5 North Neuro Med/Surgery/Trauma Unit at St. Joseph's Hospital in
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1 Marshfield, Wisconsin, Respondent was in the room of one of his assigned patients. A pastor and
2 that patient's daughter were also in the room. The daughter became very distraught and the
3 pastor asked Respondent if there was anything Respondent could do to help calm her down.
4 Respondent asked the charge nurse if there was anything they could give the patient's daughter.
5 It was determined that because the daughter was not a patient, nothing could be ordered for her.
6 If warranted by her condition, the daughter could have been taken to the hospital's emergency
7 room where she could have been seen, evaluated, and treated as a patient. Instead, without a
8 physician's order, Respondent gave the patient's daughter a tablet of Xanax. The Xanax
9 belonged to Respondent and was obtained through a prescription.
10

11 PRAYER

12 WHEREFORE, Complainant requests that a hearing be held on the matters alleged in
13 this Accusation, and that following the hearing, the Board of Registered Nursing issue a decision:
14

- 15 1. Revoking or suspending Registered Nurse License Number 647509, issued to Daniel
16 Ross Paddor;
 - 17 2. Ordering Daniel Ross Paddor to pay the Board of Registered Nursing the reasonable
18 costs of the investigation and enforcement of this case, pursuant to Business and Professions
19 Code section 125.3;
 - 20 3. Taking such other and further action as deemed necessary and proper.
- 21

22 DATED: November 9, 2010

for Stacy Bern
LOUISE R. BAILEY, M.D., RN
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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Exhibit B

First Amended Accusation No. 2011-431

1 KAMALA D. HARRIS
Attorney General of California
2 DIANN SOKOLOFF
Supervising Deputy Attorney General
3 SUSANA A. GONZALES
Deputy Attorney General
4 State Bar No. 253027
1515 Clay Street, 20th Floor
5 P.O. Box 70550
Oakland, CA 94612-0550
6 Telephone: (510) 622-2221
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7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the First Amended Accusation
12 Against:

13 **DANIEL ROSS PADDOR**
14 **721 Allerton Street**
Redwood City, CA 94063
Registered Nurse License No. 647509

15 Respondent.

Case No. 2011-431

OAH No. 2010-12-0457

**FIRST AMENDED
A C C U S A T I O N**

16
17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this First Amended Accusation
20 solely in her official capacity as the Executive Officer of the Board of Registered Nursing,
21 Department of Consumer Affairs.

22 2. On or about November 4, 2004, the Board of Registered Nursing issued Registered
23 Nurse License Number 647509 to Daniel Ross Paddor (Respondent). The Registered Nurse
24 License was in full force and effect at all times relevant to the charges brought in this First
25 Amended Accusation and will expire on April 30, 2012, unless renewed.
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JURISDICTION

3. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2750 of the Business and Professions Code (Code) provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under section 2811, subdivision (b) of the Code, the Board may renew an expired license at any time within eight years after the expiration.

6. Section 118, subdivision (b) of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

STATUTORY PROVISIONS

7. Section 2761 of the Code states:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

"(a) Unprofessional conduct, which includes, but is not limited to, the following:

...

"(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action."

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4 Respondent asked the charge nurse if there was anything they could give the patient's daughter.
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7 room where she could have been seen, evaluated, and treated as a patient. Instead, without a
8 physician's order, Respondent gave the patient's daughter a tablet of Xanax. The Xanax
9 belonged to Respondent and was obtained through a prescription.
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11 PRAYER

12 WHEREFORE, Complainant requests that a hearing be held on the matters alleged in
13 this First Amended Accusation, and that following the hearing, the Board of Registered Nursing
14 issue a decision:
15

- 16 1. Revoking or suspending Registered Nurse License Number 647509, issued to Daniel
17 Ross Paddor;
- 18 2. Ordering Daniel Ross Paddor to pay the Board of Registered Nursing the reasonable
19 costs of the investigation and enforcement of this case, pursuant to Business and Professions
20 Code section 125.3;
- 21 3. Taking such other and further action as deemed necessary and proper.
22

23 DATED: March 11, 2011

Louise R. Bailey
LOUISE R. BAILEY, M.ED., R.N.
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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Exhibit C

Letter of Public Reproval



June 6, 2011

Daniel Ross Paddor
721 Allerton Street
Redwood City, CA 94063

RE: **LETTER OF PUBLIC REPROVAL**
In the Matter of the First Amended Accusation Against:
DANIEL ROSS PADDOR
Board of Registered Nursing Case No. 2011-431
Office of Administrative Hearings, Oakland Regional Office, Case No. 2010120457

Dear Mr. Paddor:

On November 9, 2010, the Board of Registered Nursing, Department of Consumer Affairs, State of California, filed an Accusation against your license to practice professional nursing. On March 11, 2011, the board filed a First Amended Accusation against your license to practice professional nursing. The First Amended Accusation alleged unprofessional conduct under Business and Professions Code section 2761, subdivision (a)(4), and was based upon the Wisconsin Board of Nursing's July 13, 2006 disciplinary order. The Wisconsin Board's order resulted from your conduct in 2003 when you provided a patient's daughter with a tablet of Xanax without a physician's order.

Taking into consideration the fact that you have been licensed by the California Board since 2004 without any prior disciplinary action and you have fully complied with the Wisconsin Board's disciplinary order, as well as other mitigating circumstances, the Board has determined that you are safe to practice registered nursing and that the charges alleged in the First Amended Accusation warrant a public reproval.

Accordingly, pursuant to the authority provided by section 495 of the Business and Profession Code, and in resolution of this matter, the Board of Registered Nursing hereby issues this letter of public reproval.

Sincerely,

A handwritten signature in cursive script that reads 'Louise R. Bailey'.

LOUISE R. BAILEY, M.Ed., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California